

Exhibit C

REDACTED

> From: "Jacobson, Jeffrey S." <jsjacobson@debevoise.com>
> Date: January 18, 2006 10:44:07 AM PST
> To: "Kurt Opsahl" <kurt@eff.org>
> Cc: "Cunard, Jeffrey P." <jpcunard@debevoise.com>,
> <AMS@girardgibbs.com>, "Grimes, Marissa M."
> <mmgrimes@debevoise.com>, "Elizabeth C.Pritzker"
> <ecp@girardgibbs.com>, "Cindy Cohn" <cindy@eff.org>
> Subject: RE: full form notice
>
> Kurt,
>
> Thanks for these suggestions. I'm pretty sure we should be able to
> address most of them. Aaron has the working draft on his computer,
> and by copy of this email I'm asking him to see what he can do to
> incorporate your comments, except as slightly modified by my
> comments below.
>
> Cindy asked me to get back to you on the Full Form Notice on our ideas
> for making the need for class members to update or uninstall the
> software more prominent. We believe this is especially important
> because, as you may have seen, security researcher Dan Kaminsky noted
> over the weekend that "Hundreds of thousands of networks across the
> globe, including many military and government networks, appear to
> still
> contain PCs with the controversial copy-protection software installed
> by music discs sold by media giant Sony BMG." See
> <<http://www.securityfocus.com/news/11369>>.
>
> We've reviewed Dan Kaminsky's research, and we think his
> methodology is flawed and his conclusions wrong. It's not of much
> moment either way, however, because -- as I said -- we don't
> disagree with your suggestions.
>
> With this in mind, it is all the more critical to emphasize the
> importance of resolving the security vulnerabilities created by
> MediaMax and XCP. Accordingly, we recommend that the first page of
> the
> Full Form Notice include a box with the following text:
>
> "If you have played a CD on your computer that contains either XCP or
> Mediamax 5 software on it you need to patch your computer or uninstall
> the software immediately to lower your risk of security
> vulnerabilities. Please visit: [URL] and follow the links to download
> the patch or uninstaller appropriate to you. We also recommend that
> you run anti-virus software immediately after your uninstall or patch
> your computer in order to eliminate any viruses that may have effected

> your machine while it was vulnerable."
>
> The first two sentences of this look fine to me, and I don't at all
> mind putting them in boldface at the beginning of the notice. I
> think the third sentence tries to do too much. The point is to get
> people to the website and to run the update/uninstaller. Once
> they're on the website, we can convey the message that they should
> have and run anti-virus software (and include the links that we are
> obligated under the Settlement Agreement to provide). I think
> putting the message in the notice runs the risk of undermining the
> key goal.
>
> In addition, the Full Form Notice should have a new sentence to the
> end
> of the first two bullet points on the first page (after "... and fixes
> for known security vulnerabilities.") The sentence should be in bold,
> reading "If you have not done so already, please download the
> update or
> uninstaller for immediately at [URL]." The URL would be whichever is
> appropriate for the paragraph (i.e. linking to XCP or MediaMax)
>
> Agreed. For both programs, we're going to drive people to the
> settlement website, where the utilities will be available.
>
> We anticipate getting revised versions of the graphical banner notice
> to you by tomorrow, and look forward to receiving the contact
> information for your graphical banner designers. We also look forward
> to receiving outlines of the website from Rust Consulting.
>
> Sounds good!
>

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